

UNITED STATES DISTRICT COURT  
WESTERN DISTRICT OF WASHINGTON  
AT SEATTLE

UNITED STATES OF AMERICA, )  
Plaintiff, ) CASE NO. CR21-174 JCC  
v. )  
PRESTON JOSEPH SMITH, ) DETENTION ORDER  
Defendant. )

Offenses charged:

## 1. Conspiracy to Distribute Controlled Substances.

Date of Detention Hearing: December 13, 2021.

The Court, having conducted a detention hearing pursuant to 18 U.S.C. §3142(f) and based upon the factual findings and statement of reasons for detention hereafter set forth, finds that no condition or combination of conditions which defendant can meet will reasonably assure the appearance of defendant as required and the safety of other persons and the community.

## FINDINGS OF FACT AND STATEMENT OF REASONS FOR DETENTION

1. Defendant has been charged with a drug offense, the maximum penalty of which

01 is in excess of ten years. There is therefore a rebuttable presumption against defendant as to  
02 both dangerousness and flight risk, under 18 U.S.C. § 3142(e).

03 2. Defendant poses a risk of flight based on the multiple warrants issued for various  
04 violations in prior cases, including failure to appear and failure to comply with substance abuse  
05 disorder treatment. Defendant has an active warrant from DOC for failure to appear for  
06 supervision from a prior controlled substances conviction. Defendant is a danger to the  
07 community because of his reoccurring history of similar criminal conduct. Defendant does not  
08 contest detention at this time.

09 3. There does not appear to be any condition or combination of conditions that will  
10 reasonably assure the defendant's appearance at future Court hearings while addressing the  
11 danger to other persons or the community.

12 It is therefore ORDERED:

- 13 1. Defendant shall be detained pending trial, and committed to the custody of the Attorney  
14 General for confinement in a correction facility separate, to the extent practicable, from  
15 persons awaiting or serving sentences or being held in custody pending appeal;
- 16 2. Defendant shall be afforded reasonable opportunity for private consultation with  
17 counsel;
- 18 3. On order of the United States or on request of an attorney for the Government, the person  
19 in charge of the corrections facility in which defendant is confined shall deliver the  
20 defendant to a United States Marshal for the purpose of an appearance in connection  
21 with a court proceeding; and
- 22 4. The Clerk shall direct copies of this Order to counsel for the United States, to counsel

01 for the defendant, to the United States Marshal, and to the United State Probation  
02 Services Officer.

03 DATED this 13<sup>th</sup> Day of December, 2021.

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06 S. KATE VAUGHAN  
07 United States Magistrate Judge  
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